

REMARKS

Applicants respond hereby to the outstanding Office Action mailed December 28, 2007, in the above-identified application. Claim 1 is amended hereby, and claims 23-44 are cancelled without prejudice or disclaimer of subject matter. Claims 1-22 and 45-47 remain pending hereinafter, where claim 1 is the sole independent claim.

In the Office Action, claims 1-47 were rejected under 35 USC §112, Second Paragraph as indefinite. The Examiner asserts that the phrase “which holds a relative position of the 2nd cylindrical member with respect to the forceps channel of the endoscope” seems to positively recite the forceps channel and the endoscope. In response, applicants amend claim 1 hereby, as suggested by the Examiner. The phrase now reads: “for holding a relative position of the 2nd cylindrical member with respect to the forceps channel of the endoscope;”.

In addition, claims 24 and 26 were objected to for informalities, and claims 23-44 were objected to under 37 CFR 1.75 (Double Patenting) as a substantial duplicate of claims 1-22. In response, applicants have cancelled claims 23-44 without prejudice or disclaimer of subject matter. Applicants respectfully assert, therefore, that the objection to claims 24 and 26, and the objection to claims 23-44 under 37 CFR 1.75 (Double Patenting) are obviated.

Accordingly, applicants request withdrawal of the rejection of claims 1-22 and 45-47 under 35 USC §112, Second Paragraph, request withdrawal of the objection to claims 1-12 under 37 CFR 1.75, and request allowance of currently pending claims 1-22 and 45-47. If the

Examiner believes that a telephone conference with applicants' attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JFV', is written over the printed name.

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